



06-16-2003

U.S. Patent &amp; TMO/TM Mail Rcpt Dt. #64

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NEXPRESS SOLUTIONS, LLC

Petitioner,

v.

NEURON DATA, INC.

Registrant.

Cancellation No. 92/041,293

**Motion For Default Judgment**

Petitioner NexPress Solutions, LLC, pursuant to 37 C.F.R. § 2.114(a) and through its undersigned attorneys, requests that the Board enter a default judgment in favor of Petitioner and cancel the registrations at issue.<sup>1</sup> This cancellation was initiated on December 20, 2002, and, pursuant to the applicable rules, the Registrant was allowed 40 days to file an answer. The answer was therefore due to be filed on January 29, 2003. No answer was filed as of that date.

On April 3, 2003, the Board informed Petitioner that the Petition To Cancel sent to Registrant was returned to the PTO by the US Postal Service as undeliverable. Therefore, the petition was served by publication in the *Official Gazette* on April 29, 2003. Registrant was given 30 days to enter an appearance.

The 30-day deadline was May 29, 2003. Petitioner has not received any documentation or correspondence from Registrant, and the PTO website does not indicate that anything has been filed by Registrant. Petitioner therefore submits that the Registrant is in default and therefore respectfully requests that the Board enter a default judgment in this proceeding.

Respectfully submitted,

Date: June 13, 2003

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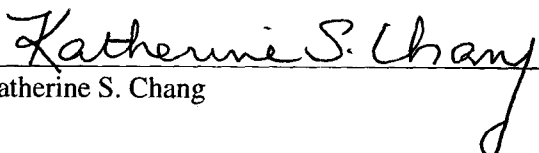
<sup>1</sup> Petitioner notes that Reg. No. 1,963,840 has been canceled by the PTO for Registrant's failure to file a Section 8 Declaration. Petitioner acknowledges that its petition with respect to this registration is now moot.

**Certificate of Service**

I hereby certify that the foregoing *Motion For Default Judgment* was attempted to be served on Respondent today by mailing a copy via First Class Mail to:

Neuron Data, Inc.  
444 High Street  
Palo Alto, CA 94301

Date: June 13, 2003

  
Katherine S. Chang



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June 13, 2003

*Via First Class Mail*Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514*Re: Cancellation No. 92/041,293*

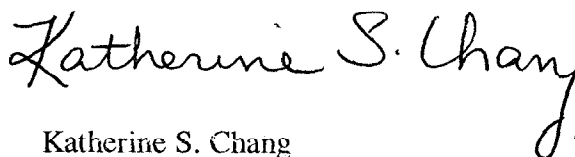
Dear Madam:

We have enclosed for filing a *Motion For Default Judgment*. Also enclosed is a self-addressed, postage prepaid postcard, which we request that your office date-stamp and return to us to acknowledge receipt of the document.

Please charge any required fees to Hunton & Williams's Deposit Account No. 502536.

Please direct any correspondence or inquiries concerning the enclosed documents to the undersigned.

Very truly yours,



Katherine S. Chang

Enclosures

cc: Neuron Data (*per Certificate of Service*)

03 JUN 26 AM 9:31  
TRADE MARK DIVISION  
U.S. PATENT & TRADEMARK OFFICE